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November 21, 2024

File No. 29881.552

**VIA ECF and [CronanNYSDChambers@nysd.uscourts.gov](mailto:CronanNYSDChambers@nysd.uscourts.gov)**

Hon. John P. Cronan  
United States District Judge  
United States District Court- SDNY  
500 Pearl Street, Room 1320  
New York, New York 10007

Re: Suero v. Live Axle Trucking et. al;  
24 Civ. 8301 (JPC)

Dear Judge Cronan:

Our firm represents the defendants in the above referenced matter.

The above referenced matter is scheduled for an Initial Pre-trial Conference on December 3, 2024 at 10:00am. I am writing to request a 60 days adjournment of the conference.

Following the Removal of this matter, plaintiff's counsel filed an Order to Show Cause in the Supreme Court, Bronx County, seeking leave to withdraw and be relieved as counsel. A copy of plaintiff's Proposed Order with Affirmation in Support is annexed hereto. In the Affirmation in Support, counsel states that further investigation has raised doubts of the viability of the claim that counsel was retained to prosecute. The Proposed Order has not yet been signed and a hearing date has not yet been scheduled.

In light of the foregoing, I respectfully request the above requested adjournment be granted.

No prior request for an adjournment was made.

Plaintiff's counsel consents to this application.

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Respectfully yours,


*Sheryl S. Fyffe*

Sheryl S. Fyffe of  
LEWIS BRISBOIS BISGAARD & SMITH LLP

SSF  
Attachment

The motion is denied. This action has been removed from New York Supreme Court, Bronx County, to federal court and Plaintiff's counsel has been ordered to appear before the undersigned on December 3, 2024. *See* Dkt. 11. Any order to show cause filed in New York Supreme Court has no impact on counsel's ordered appearance before this Court. Counsel for Plaintiff remains ordered to appear before this Court on December 3, 2024, and further is ordered to file a notice of appearance in this action by November 27, 2024. If counsel seeks leave to withdraw from representing Plaintiff, counsel must file a motion for the Court's consideration. Defendants' counsel is directed to provide a copy of this Order to Plaintiff's counsel. The Clerk of Court is respectfully directed to close Docket Number 12.

SO ORDERED.  
Date: November 22, 2024  
New York, New York

  
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JOHN P. CRONAN  
United States District Judge